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**IN THE UNITED STATES DISTRICT COURT
DISTRICT OF UTAH**

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| <p>LARADA SCIENCES, INC., a Delaware corporation,</p> <p>Plaintiff,</p> <p>vs.</p> <p>PEDIATRIC HAIR SOLUTIONS CORPORATION, a North Carolina corporation, et al.,</p> <p>Defendants.</p> | <p>DEFENDANT DR. JOHN FASSLER’S M.D. MOTION FOR LEAVE TO FILE OVERLENGTH BRIEF</p> <p>Case No. 2:18-cv-00551-RJS-JCB Chief Judge Robert J. Shelby Magistrate Judge Jared C. Bennett</p> |
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Defendant Dr. John Fassler, M.D. (“Dr. Fassler”), by and through his counsel, and in accordance with DUCivR 7-1(a)(7)(A), hereby moves the Court for leave to file an overlength brief in excess of the page limitation set forth in DUCivR 7-1(a)(4)(D)(i). In support of this Motion, Dr. Fassler states as follows:

1. On August 26, 2024, Plaintiff Larada Sciences, Inc. (“Plaintiff”) concluded presenting and rested its case-in-chief before this Court and the empaneled jury.
2. Dr. Fassler intends to file a Motion for Judgment as a Matter of Law seeking dismissal of Plaintiff’s claims against Dr. Fassler pursuant to Rule 50(a)(1) of the Federal Rules of Civil Procedure.

3. Good cause exists for Dr. Fassler to exceed the length requirements of DURCivR 7-1(a)(7)(A).
4. Dr. Fassler's Motion for Judgment as a Matter of Law must outline arguments responding to both Plaintiff's breach of contract claim and misappropriation of trade secrets claim under the Defend Trade Secrets Act. To adequately present these arguments, he must include not only a discussion on relevant law for both claims, but also testimony and trial exhibits presented over the course of three days of trial, as well as discussion of Plaintiff's expert, John Beck's report submitted in this case pertaining to Plaintiff's alleged trade secrets.
5. Dr. Fassler therefore requests that he be granted leave to file an overlength brief not to exceed 15 pages in length to present his arguments in support of his Motion for a Judgment as a Matter of Law.
6. Pursuant to Fed. R. Civ. P. 50(a)(2), Dr. Fassler's Motion for Judgment as a Matter of Law must be made any time before the case is submitted to the jury, and accordingly, this Motion is timely filed in accordance with DURCivR 7-1(a)(7)(A).

WHEREFORE, Dr. Fassler respectfully requests that this Court grant leave to file an overlength brief, not to exceed 15 pages in length, in support of his Motion for a Judgment as a Matter of Law under Fed. R. Civ. P. 50(a)(1).

DATED this 26th day of August, 2024.

POLSINELLI PC

/s/ Jose A. Abarca
Romaine C. Marshall
Jose A. Abarca

Attorneys for Defendants

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 26th day of August, 2024, I caused a true and correct copy of the foregoing document to be served via CM/ECF system.

/s/ Kaitlin Morgan